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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,337	03/01/2002	Shoji Kurakake	10745/13	3080

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Tadashi Horie
Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610

EXAMINER

HOSSAIN, TANIM M

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,337

Applicant(s)

KURAKAKE, ET AL.

Examiner

Tanim Hossain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 9-11, 13, 14, 19, 23, 25, 26, and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awadallah (U.S. 6,449,251) in view of Jappila (RSVP – Nokia Telecommunications).

As per claim 1, Awadallah teaches a communication system comprising: one or more independent communication networks, each network including: one or more resource management devices (column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45). Awadallah does not specifically teach the existence of resource arbitration servers, and the adaptation of communication devices between these servers. Jappila teaches the arbitration of resources using a server, and the facilitation of communication between them (page 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the server-driven arbitration of resources as taught by Jappila in the system of Awadallah. The motivation for doing so lies in the fact that having a server to reserve resources would allow for further efficiency in the invention of Awadallah. Both inventions are from the same field of endeavor, namely the efficient allocation of resources for efficient communication.

As per claim 2, Awadallah-Jappila teaches the communication system of claim 1 wherein the communication device further comprises: a resource use requesting device (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2); and a communication circuit for communicating a resource use request from the resource requesting device to a resource arbitration server for a communication network (page 6, line 20 – page 7, line 7).

As per claim 3, Awadallah-Jappila teaches the communication system of claim 2, wherein the communication device further comprises: a control circuit coupled with the communication circuit and configured to interpret reports of resource reservation results received by the communication circuit from the response arbitration server in response to the resource use request (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 9, Awadallah-Jappila teaches the communication system of claim 1, but does not specifically teach that the communication circuit comprises a radio system. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a radio system as a medium of communication, as it is widely used as such.

As per claim 10, Awadallah-Jappila teaches the communication system of claim 1, but does not specifically teach that the communication circuit comprises a network access card. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a network access card as a medium of communication, as it is widely used as such.

As per claim 11, Awadallah-Jappila teaches the communication system of claim 1, wherein each resource arbitration servers of the one or more resource arbitration servers

comprises: a communication circuit to receive a resource use request from the communication device (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 13, Awadallah-Jappila teaches the communication system of claim 11, wherein each resource arbitration servers of the one or more resource arbitration servers comprises: a resource location device which locates within the network associated with the each resource arbitration server available resources satisfying conditions of the resource use request (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 14, Awadallah-Jappila teaches the communication system of claim 11, wherein each resource arbitration servers of the one or more resource arbitration servers comprises: a resource reservation device which sends to a resource management device to a resource reservation (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 23, Awadallah-Jappila teaches the communication system of claim 1, wherein each resource management device of the one or more management devices comprises: a communication device configured to receive and interpret requests to check availability of resources (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 25, Awadallah-Jappila teaches the communication system of claim 24, wherein the reservation management device is further configured to accept resource reservation

for selected resources and reserve the selected resource (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 26, Awadallah-Jappila teaches the communication system of claim 25, wherein the reservation management device is further configured to report reservation results within the network associated with the resource management device (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 32, Awadallah-Jappila teaches a communication device operable in conjunction with one or more communication networks, each communication network including resources accessible by the communication device, a resource management device and a resource arbitration server, the communication device comprising: a resource use requesting device; a communication circuit for communicating a resource use request from the resource requesting device to a resource arbitration server of a communication network; and a control circuit coupled with the communication circuit and configured to interpret reports of resource reservation results received by the communication circuit from the resource arbitration server in response to the resource use request (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

Claims 33 and 34 are rejected on the same bases as claims 9 and 10 respectively.

Claims 4-6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awadallah (U.S. 6,449,251) in view of Jappila (RSVP – Nokia Telecommunications), in further view of Cisco Systems Incorporated (VoIP Call Admission Control Using RSVP).

As per claim 4, Awadallah-Jappila teaches the communication system of claim 3, wherein the communication device further comprises: a selection device configured to select resources for use based on a received report of resource reservation results (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2), the communication circuit being configured to communicate at least one of a reservation of resources selected for use (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2). Awadallah-Jappila does not specifically teach the cancellation of a non-use of resources. Cisco teaches the cancellation and notification of a cancellation of resources (page 2, lines 1-3). It would have been obvious to include a communication of a cancellation of resources as taught by Cisco in the system of Awadallah-Jappila. The motivation for doing so lies in the fact that canceling resources will enable those resources to be saved for other tasks. All inventions are from the same field of endeavor, namely the efficient reservation of communication resources.

As per claim 5, Awadallah-Jappila-Cisco teaches the communication system of claim 4, wherein the control circuit is further configured to initiate a notification of end of usage of the resources for use for communication circuit to the resource arbitration server (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2; Cisco: page 2; lines 1-3).

As per claim 6, Awadallah-Jappila teaches the communication system of claim 4, wherein the communication device further comprises: a task execution circuit which generates a resource reservation confirmation for communication to the resource arbitration server by the

communication circuit upon usage of the resources for use (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2; Cisco: page 2; lines 1-3).

As per claim 19, Awadallah-Jappila-Cisco teaches the communication system of claim 11, wherein each resource arbitration servers of the one or more resource arbitration servers comprises: a resource cancellation device which receives from the communication device a notification of end of usage of selected resources and notifies the selected resources of the end of the notification of end of usage (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2; Cisco: page 2; lines 1-3).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awadallah-Jappila-Cisco in view of Voit (U.S. 6,292,481).

As per claim 7, Awadallah-Jappila-Cisco teaches the communication system of claim 4, but does not specifically teach the reception of a report recording usage time. Voit teaches the reception of billing statements governed by use of the network (column 28, lines 24-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the sending and receiving of usage reports, as taught by Voit in the system of Awadallah-Jappila-Cisco. The motivation for doing so lies in the fact that having a real-time billing measurement would allow the user to more readily discern how much he/she would stand to spend during a call session. All inventions are from the same field of endeavor, namely the facilitation of communications through a network.

As per claim 8, Awadallah-Jappila-Cisco-Voit teaches the communication system of claim 7, wherein the communication circuit is further configured to receive a request of payment for usage fees for the usage of resources selected for use (Voit: 28; 24-40).

Claims 4-6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awadallah (U.S. 6,449,251) in view of Jappila (RSVP – Nokia Telecommunications), in further view of Voit (U.S. 6,292,481).

As per claim 12, Awadallah-Jappila-Voit teaches the communication system of claim 11, wherein each resource arbitration servers of the one or more resource arbitration servers comprises: an authentication device for authenticating a user associated with the resource use request (Voit: 27; 20-25).

As per claim 15, Awadallah-Jappila-Voit teaches the communication system of claim 14, wherein the resource reservation device is further configured to send user authentication data to the resource management device (Voit: 27; 20-25).

As per claim 16, Awadallah-Jappila-Voit teaches the communication system of claim 14, wherein the resource reservation device is further configured to compile reservation results from the resource management device and to validate the reservation results against the received resource use request (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 17, Awadallah-Jappila-Voit teaches the communication system of claim 16, wherein the resource reservation device is further configured to reserve resources in response to

validating the reservation results (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 18, Awadallah-Jappila-Voit teaches the communication system of claim 16, wherein the resource reservation device is further configured to provide a notification to communication device when there are resources satisfying the received resource use request (Awadallah: column 3, line 61 – column 4, line 11; column 7, lines 7-10, 38-45; Jappila: page 2).

As per claim 20, Awadallah-Jappila-Voit teaches the communication system of claim 11, wherein each resource arbitration servers of the one or more resource arbitration server comprises: an accounting device which calculates a resource usage fee based on a record of use of each resource (Voit: 28; 24-40).

As per claim 21, Awadallah-Jappila-Voit teaches the communication device of claim 20, wherein the accounting device is configured to request payment of the resource usage fee from a user of the communication device (Voit: 28; 24-40).

As per claim 22, Awadallah-Jappila-Voit teaches the communication device of claim 1, wherein each resource management device of the one or more management devices comprises: a control device configured to determine the nature of the service provided by the resources managed by the each resource management device and provide a report within a network associated with the each resource management device (Voit: 28; 24-40).

As per claim 24, Awadallah-Jappila-Voit teaches the communication system of claim 1, wherein each resource management device of the one or more management devices comprises: a reservation management device which manages resource reservations based on at least one of

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nature of a service provided by the resource, quantity of a service requested, requested time of use of the service, and user information associated with the requestor (Voit: 28; 10-35).

As per claim 27, Awadallah-Jappila-Voit teaches the communication system of claim 25, wherein the reservation management device is further configured to report reservation results within the network associated with the resource management device (Voit: 28; 10-35).

As per claim 28, Awadallah-Jappila-Voit teaches the communication system of claim 27, wherein the reservation management device is further configured to receive and interpret resource reservation cancellation requests (Voit: 28; 10-35).

As per claim 29, Awadallah-Jappila-Voit teaches the communication system of claim 28, wherein the resource management device is configured to cancel a resource reservation in response to a reservation cancellation request (Voit: 28; 10-35).

As per claim 30, Awadallah-Jappila-Voit teaches the communication system of claim 28, wherein the resource management device is configured to end provision of a resource's service in response to one of a notification by a user that use of the resource has ended, contents of a resource reservation and actual use status of the resource (Voit: 28; 30-40).

Conclusion

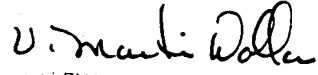
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tanim Hossain
Patent Examiner
Art Unit 2145


VALÉNCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700